

translation

INTERNATIONAL COOPERATION TREATY

PCT/EP2003/005619



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference WA 2663-03WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/005619	International filing date (day/month/year) 28 May 2003 (28.05.2003)	Priority date (day/month/year) 05 June 2002 (05.06.2002)
International Patent Classification (IPC) or national classification and IPC H02J 5/00		
Applicant WOBBEN, Aloys		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand 17 December 2003 (17.12.2003)	Date of completion of this report 05 July 2004 (05.07.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/EP2003/005619

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages 1-6, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages 1-19, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
 pages 1/3-3/3, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.  
PCT/EP 03/05619

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	11-13, 16-19	YES
	Claims	1-10, 14, 15	NO
Inventive step (IS)	Claims	11-13, 16-19	YES
	Claims	1-10, 14, 15	NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

### 2. Citations and explanations

#### 1. Reference is made to the following document:

D1: WO 9203869

2. Document D1 is considered the prior art closest to the subject matter of claim 1. Insofar as this claim is understood (see point 5), document D1 discloses (page 6, line 22 to page 18, line 23; figures 1-3 and 6-22; claim 15) a device for transporting electrical power, said device having a plurality of storage elements, which are provided as payload in a vehicle (22) - the zinc air batteries serve not only to operate the vehicle but also as means for transporting power from one location (20, figure 1), where they are charged with the unused liquid, to another location (18), where the used liquid is discharged,

the storage elements remaining on the vehicle while they discharge the electrical power (figure 22) and the vehicle having a connector for transferring the stored power during discharge.

Therefore, the subject matter of claim 1 is not novel (PCT Article 33(2)).

3. The subject matter of independent claim 15 and of dependent claims 2 to 10 and 14 is also known from document D1.

#### Other Observations

4. Contrary to PCT Article 6, claims 1 and 15 are not supported by the description, since the scope of these claims goes beyond the scope justified by the description and the drawings.

Furthermore, these claims lack clarity.

According to the description:

- the discharge of the electrical power by the storage elements, which are transported by ship, is carried out at a stationary connection station;
  - the discharge of the electrical power by the storage elements is carried out at another connection station at the destination harbor.
5. Claims 11 to 14 and 19 are not supported by the description (PCT Article 6).
6. Method claim 18 relates to device claims.
7. Method claim 19 contains features of a device claim and is therefore not clear (PCT Article 6).